

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY MEXICO

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E. O. 11652: N/A

TAGS: EFIS XP MX

SUBJ: QUESTIONS AND COMMENTS ON MEXICAN TUNA

PROPOSALS

REF: MEXICO'S A-14 OF JANUARY 11, 1974

1. PLEASE CONVEY TO GOM OFFICIALS CONCERNED FOLLOWING QUESTIONS AND COMMENTS ON PROPOSALS FORWARDED WITH REFERENCED AIRGRAM.

2. PROPOSAL 1. (1) ARE ALL MEXICAN VESSELS OVER 400 TONS CAPACITY CONSIDERED TO BE INCLUDED AMONG THOSE WHICH QUOTE HAVE SPECIAL PROBLEMS END QUOTE? IF SO, EXACTLY WHAT ARE SPECIAL PROBLEMS OF BOATS WHICH HAVE DEMONSTRATED GOOD PRODUCTION CAPABILITY IN 1973 AND EARLIER YEARS, SUCH AS EX-US VESSELS AND CERTAIN SPANISH-BUILT VESSELS? COMMENT: UNLESS REAL SPECIAL PROBLEMS CAN BE PROVEN BY OBJECTIVE DATA, US WILL HAVE GREAT DIFFICULTY IN ACCEPTING POSITION THAT EVERY VESSEL IN MEXICAN FLEET IS ENTITLED TO SHARE IN CLOSED SEASON EXEMPTION FROM CONSERVATION RESTRICTIONS. TO GIVE SUCH PREFERENTIAL TREATMENT TO VESSELS WHICH DO NOT IN FACT HAVE SPECIAL PROBLEMS WOULD VITIATE RATIONALE OF EXEMPTION AND WOULD BE UNFAIR TO COMPETING US VESSELS, MANY LIMITED OFFICIAL USE

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OF WHICH HAVE REAL PROBLEMS. (2) SECOND PARAGRAPH OF PROPO-

SAL, IF READ LITERALLY, SEEMS TO SAY THAT IN CASE MORE THAN 6,000 TONS WERE TAKEN BY WHOLE MEXICAN FLEET IN OPEN SEASON,

THERE WOULD BE NO SPECIAL ALLOCATION AT ALL FOR VESSELS WITH SPECIAL PROBLEMS. WHILE REALIZING THAT 6,000 TON CATCH IN OPEN SEASON IS UNLIKELY UNDER ANY CIRCUMSTANCES, WE WONDER IF THAT IS WHAT WAS INTENDED? COMMENT: THE EFFECT OF THIS PROPOSAL WOULD BE TO REMOVE ALL NECESSITY FOR MEXICAN FLEET TO COMPETE FOR ANY PART OF ITS TARGET CATCH DURING OPEN SEASON AND PERMIT IT TO FISH FOR THE FULL 20,000 TON CATCH WHICH THE SCHEME AIMS FOR DURING CLOSED SEASON, IF OPERATORS CHOSE THAT STRATEGY. THIS WOULD BE TANTAMOUNT TO UNLIMITED FISHING FOR MEXICO DURING CLOSED SEASON, WHICH WOULD BE DIFFICULT FOR US TO ACCEPT. ALSO, SCHEME TAKES NO COGNIZANCE OF OPEN SEASON CATCH OF SMALL (UNDER 400 TON) VESSELS, WHICH WOULD PUSH TOTAL ABOVE 20,000 TONS. (3) IN USING TERMS QUOTE OPEN SEASON END QUOTE AND QUOTE CLOSED SEASON END QUOTE, DOES GOM CONTEMPLATE THAT SEASON CLOSURES AS OF DATE ANNOUNCED BY DIRECTOR OF INVESTIGATIONS OR WHEN LAST FREE TRIP IS FINISHED? IF THE FORMER, THEN MEXICAN VESSELS COULD TAKE LAST FREE TRIP WHICH WOULD ADD FURTHER OPPORTUNITY TO FISH UNRESTRICTED FOR CATCH BEYOND 20,000 TONS. THIS WOULD BE IN US VIEW EXCESSIVE AND UNWARRANTED DEGREE OF EXEMPTION FOR COUNTRY WHICH CLAIMS ITS 1974 PRODUCTION GOAL IS 20,000 TONS OF YELLOWFIN TUNA. IN FACT, UNDER THIS SCHEME MEXICO WOULD SEEM TO BE ASKING FOR FREE FISHING UP TO TOTAL OF AT LEAST 24,000 TONS.

3. PROPOSAL 2. WHAT IS THE EXACT MEANING OF THE EXPRESSION QUOTE DOS VIAJES DE PESCA END QUOTE? DOES IT MEAN A NUMBER OF TONS OF YELLOWFIN TUNA EQUAL TO TWO TIMES THE CAPACITY OF THE VESSELS IN QUESTION, AND IF SO, HOW MANY TONS IS THAT RECKONED TO BE? IN TABULAR PRESENTATION OF THIS PROPOSAL, WHAT IS SIGNIFICANCE OF FIGURES 3,000 AND 14,000, AND WHY DO THEY HAVE QUESTION MARKS? COMMENT: TABULAR PRESENTATION, ON ITS FACE, APPEARS TO GIVE MEXICO FREEDOM FOR UNRESTRICTED FISHING UP TO TOTAL CATCH CONSIDERABLY BEYOND AVOwed GOAL OF 20,000 TONS PRODUCTION FOR THE YEAR, WHICH SEEMS EXCESSIVE.

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4. PROVISION OF 1,000 TONS FOR AN ADDITIONAL VESSEL. IS THIS TO APPLY TO ALL DEVELOPING COUNTRIES OR ONLY THOSE WHICH DO NOT YET HAVE ANY VESSELS LARGER THAN 400 TONS CAPACITY? COMMENT: IF THE FORMER, HOW COULD REASONS OF QUOTE DESPEGUE END QUOTE REASONABLY APPLY TO E.G., MEXICO WITH ITS 21 TUNABOATS? HOW CAN DIFFICULTIES OF OBTAINING CAPITAL BE THE REASON FOR A NECESSITY OF ADD-

ING ONE MORE VESSEL? THIS PROVISION WOULD BE UNACCEPTABLE IF IT APPLIED TO MEXICO, AS AN ADDITION TO OTHER EXEMPTIONS MEXICO IS SEEKING, WOULD BE UNNECESSARY IN THE CASE OF A COUNTRY LIKE NICARAGUA, WHICH WOULD ALREADY ENJOY AN

EXEMPTION OF 1,000 TONS UNDER PREVIOUS RULES, AND IF APPLIED TO A COUNTRY LIKE COSTA RICA, WHICH ALREADY HAS SMALL VESSELS PRODUCING MORE THAN 1,000 TONS OF YELLOWFIN UNDER THE 6,000-TON SMALL VESSEL EXEMPTION, IT WOULD BE AN APPROPRIATE SUBJECT FOR SPECIAL CONSIDERATION WHEN THE CASE AROSE. IT WOULD BE DIFFICULT TO AGREE TO SUCH AN ADDITIONAL EXEMPTION FOR A COUNTRY IN, FOR EXAMPLE, MEXICO'S SITUATION, OR FOR A COUNTRY IN COSTA RICA'S CIRCUMSTANCES, IF IT WERE TO ACQUIRE A TESTED AND SUCCESSFUL US VESSEL WITH EXPERIENCED KEY PERSONNEL.

5. WHAT WOULD BE DIFFERENCE, IN TERMS OF PRACTICAL EFFECT ON TUNA CONSERVATION, BETWEEN ACCEPTANCE OF MEXICAN PROPOSALS AND NON-MEMBERSHIP OF MEXICO IN IATTC?

6. DEVELOPMENT OF US POSITION IS RECEIVING ATTENTION AT HIGH LEVELS IN DEPARTMENT, BUT RESULT MAY NOT BE READY FOR TRANSMITTAL BY END OF WEEK. RUSH

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